

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Timothy MURPHY

Application No.: **10/770,403**

Filing Date: 4 February 2004

For: Methods for Treating Obesity

Art Unit: 2728

Examiner: Prebilic, Paul B.

Attorney Ref. No.: 010-001

☒ **Via EFS-Web**

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. § 1.114**

**Mail Stop RCE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. The following are submitted:

1. Submission required under 37 C.F.R. 1.114:

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other: \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒ Other(s): Fifteen (15) bios; Petition for 2-Month Extension of Time

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Periods of suspension shall not exceed 3 months. Fee under 37 C.F.R. 1.17(i) required).

b. ☐ Other: \_\_\_\_\_

3. Fees – The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_.

- i. ☐ The RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.17, 1.136)
- iii. ☐ Other: \_\_\_\_\_

b. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

d. ☒ Direct payment through EFS-Web / RAM

**U.S. P.T.O. Customer No. 36844**  
Cermak Kenealy & Vaidya LLP  
515 E. Braddock Road, Suite B  
Alexandria, VA 22314  
703.778.6609

Respectfully submitted,

By: /Adam J. Cermak/  
Adam J. Cermak  
Registration No. 40,391

Date: 7 April 2008